

**HUNTINGTON BEACH
OFFICE OF THE ZONING ADMINISTRATOR
EXECUTIVE SUMMARY**

TO: Zoning Administrator
FROM: Jill Arabe, Assistant Planner
DATE: February 24, 2010
SUBJECT: **COASTAL DEVELOPMENT PERMIT NO. 2008-026 (PLANT SPECIES REMOVAL & HABITAT RESTORATION)**
LOCATION: Approximately 1.0 acre of ESHA (east side of Beach Boulevard, north of Pacific Coast Highway)

Applicant: Lesley Hill, Caltrans- District 12, 3337 Michelson Drive, Suite 380, Irvine, CA 92612

Property Owner: State of California – Caltrans, 3337 Michelson Drive, Suite 380, Irvine, CA 92612

Request: To permit habitat restoration for the Belding's savannah sparrow within a designated environmentally sensitive habitat area (ESHA). The restoration plan is for a period of five years (2010-2015) and includes the removal and maintenance of invasive plant species with the use of mechanized equipment, hand tools, and chemicals.

Environmental Status: This request is covered by Categorical Exemption, Section 15333, Class 33, California Environmental Quality Act.

Zone: CC-CZ (Coastal Conservancy – Coastal Zone)

General Plan: OS-C (Open Space – Conservation)

Existing Use: Vacant/open space

RECOMMENDATION: Staff recommends approval of the proposed project based upon the following findings:

SUGGESTED FINDINGS FOR PROJECTS EXEMPT FROM CEQA:

The Zoning Administrator finds that the project will not have any significant effect on the environment and is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to section 15333 of the CEQA Guidelines, because the project consists of the maintenance and restoration of habitat for wildlife including the revegetation of disturbed areas with native plant species.

SUGGESTED FINDINGS FOR APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 2008-026:

1. Coastal Development Permit No. 2008-026 to permit the removal of nonnative invasive plant species and the installation of native vegetation within an environmentally sensitive habitat area (ESHA), as proposed, conforms with the General Plan, including the Local Coastal Program. The project is consistent with the following General Plan goals, and policies:

Goal LU 5: Ensure that significant environmental habitats and resources are maintained.

Policy LU 14.1.5: Cooperate with the California Department of Fish and Game, United States Fish and Wildlife Service, and any other appropriate agencies in establishing programs for the protection and, where appropriate, restoration of significant environmental habitats including the Bolsa Chica wetlands, coastal marshes throughout the City and Santa Ana River drainage.

Goal C 7: Preserve, enhance and restore, where feasible, environmentally sensitive habitat areas (ESHAs) in the City's Coastal Zone, including the Bolsa Chica which is within the City's Sphere of Influence.

Policy C 7.1.2: Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas.

The project consists of the removal of approximately 1.0 acre of nonnative invasive plant species, primarily giant reed (*Arundo donax*), and the installation of native vegetation for habitat restoration and water quality functions. All work will be conducted by a restoration contractor and monitoring biologist as determined by the California Department of Transportation (Caltrans). The project will restore coastal salt marsh by replacing an area disturbed by invasive species with native vegetation which will serve to protect an adjacent salt marsh from potential degradation of its habitat. Plant removal will utilize mechanized equipment such as a front-end loader with a grabbing bucket, hand tools, and agency approved herbicide as determined by the monitoring biologist. The area will be restored using container plants and by hydroseeding. Restoration of the salt marsh will create additional habitat area for the Belding's savannah sparrow, a known inhabitant of the ESHA as indicated in the General Plan's Coastal Element. All proposed work shall be conducted outside of nesting season, which will avoid in potential impacts to the ESHA. The project serves as mitigation for the emergency embankment reconstruction project on Pacific Coast Highway.

2. The project is consistent with the requirements of the CZ Overlay District, the base zoning district, as well as other applicable provisions of the Municipal Code. The project occurs on property zoned Coastal Conservation (CC). It consists of the removal of nonnative invasive plant species. The area will be restored with native vegetation and provide a greater habitat area for the Belding's savannah sparrow. The project shall occur outside of nesting season to reduce disturbances to wildlife and vegetation.
3. The subject proposal will not create a demand on infrastructure in a manner that is inconsistent with the Local Coastal Program. The project consists of the removal of approximately 1.0 acre of invasive plant species and replacement with native vegetation.

No additional demand for infrastructure is needed beyond which exists onsite. The project is limited to vegetation maintenance and negligible restoration activities.

4. The development conforms with the public access and public recreation policies of Chapter 3 of the California Coastal Act. The project will not impact or interfere with any public access or views to coastal resources. The project will improve coastal resources by removing the overgrown invasive plant species and replacing it with vegetation native to the ESHA.

SUGGESTED CONDITIONS OF APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 2008-026:

1. The site plan received and dated December 4, 2008, shall be the conceptually approved design.
2. The plan and activities identified in the draft mitigation and monitoring plan received and dated February 10, 2010, shall be the conceptually approved restoration plan.
3. Incorporating sustainable or "green" building practices into the design of the proposed structures and associated site improvements is highly encouraged. Sustainable building practices may include (but are not limited to) those recommended by the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED) Program certification (<http://www.usgbc.org/DisplayPage.aspx?CategoryID=19>) or Build It Green's Green Building Guidelines and Rating Systems (<http://www.builditgreen.org/index.cfm?fuseaction=guidelines>).

INDEMNIFICATION AND HOLD HARMLESS CONDITION:

The owner of the property which is the subject of this project and the project applicant if different from the property owner, and each of their heirs, successors and assigns, shall defend, indemnify and hold harmless the City of Huntington Beach and its agents, officers, and employees from any claim, action or proceedings, liability cost, including attorney's fees and costs against the City or its agents, officers or employees, to attack, set aside, void or annul any approval of the City, including but not limited to any approval granted by the City Council, Planning Commission, or Design Review Board concerning this project. The City shall promptly notify the applicant of any claim, action or proceeding and should cooperate fully in the defense thereof.